

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 20th day of August 2013, the Amarillo City Commission met at 1:30 p.m. at City Hall on the third floor in Room 303 in the Conference Room for review of agenda items, and consideration of future agenda items.

The City Commission met at 3:00 p.m. in regular session in the Commission Chamber located on the third floor of City Hall at 509 E. 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELLEN ROBERTSON GREEN	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
LILIA ESCAJEDA	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

Absent were none. Also in attendance were the following administrative officials:

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	DEPUTY CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Alan Burkhalter, Chaparral Hills Baptist Church. Mayor Harpole led the audience in the Pledge of Allegiance.

Mayor Harpole established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

ITEM 1: Mayor Harpole presented the minutes of August 13, 2013. Motion was made by Commissioner Simms seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance annexing a 344.58 acre tract of land in Sections 65 and 38, Block 9, BS&F Survey, Randall County. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7430

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: VOLUNTARY ANNEXATION OF TERRITORY ADJACENT TO THE PRESENT CORPORATE LIMITS OF THE CITY OF AMARILLO, FINDING THAT ALL NOTICES AND HEARINGS AS REQUIRED BY LAW HAVE BEEN ISSUED AND CONDUCTED, DESCRIBING THE TERRITORY ANNEXED, OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED, PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS IN SAID TERRITORY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 3: Mayor Harpole presented an ordinance amending Ordinance No. 7151 to expand the definition of revenues subject to franchise fee. The ordinance makes no other changes to the franchise agreement. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7414

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING ORDINANCE NO. 7151, ELECTRIC FRANCHISE FOR SOUTHWESTERN PUBLIC SERVICE COMPANY, TO EXPAND THE DEFINITION OF REVENUES SUBJECT TO FRANCHISE FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 4: Mayor Harpole presented an ordinance ordering a special city election for Tuesday, November 5, 2013 for the purpose of voting on proposed amendments to the Amarillo City Charter. The ordinance states 21 amendments as ballot propositions. For each proposition there is explanatory material and prescribed ballot text. State law requires the ballot text to be succinct, so the ordinance also prescribes the ballot text for each proposition, and broader background information for each. The ordinance contains standard clauses for the administration of the election jointly with Potter and Randall Counties and contracting for their services in conducting the City's portion of the election. Since 1913, the charter has been amended seven times. This is the first time a broader updating of the Charter has ever been proposed. Numerous state and federal laws have been enacted or changed since 1913 and many of the propositions are "housekeeping" to bring the Charter into compliance with current law.

David Kossey, 1014 Cimarron, Canyon, stated he had previously emailed his comments on the proposals to Mr. Norris. Mr. Norris reviewed each one of Mr. Kossey's comments. Commissioner Green stated this Commission has spent several months discussing the proposals, and hopefully the citizens will get to vote on the various proposals.

Motion was made by Commissioner Green to approve the propositions, seconded by Commissioner Simms, as amended, to designate 120 days in proposition 15, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7425

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 5, 2013 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER, AS MORE FULLY SET OUT HEREIN; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITY; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING POLLING PLACES AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor Harpole presented an ordinance adopting the 2013/2014 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Brennan Boulevard Public Improvement District (PID). The Brennan PID is located within the Brennan Subdivision in S.W. Amarillo. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7426

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE BRENNAN BOULEVARD PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2013-2014; ADOPTING A BUDGET FOR FISCAL YEAR 2013-2014 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS

ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 6: Commissioner Eades presented an ordinance adopting the 2013/2014 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). This ordinance is recommended for approval by a unanimous vote of the Greenways Public Improvement District Board of Directors.

Thomas Schuman, 7308 Park Ridge, asked what caused the 71/2% increase and how it compared to other PIDs. Kathleen Collins, Planner I, responded that the assessments were assigned according to the type of lot. Jarrett Atkinson stated that the PID structures were layered and the City works as administrator. Eddie Scott, 2412 South Lipscomb, stated the developer pays the assessments until the lots are sold. He stated he continues to work to lower the costs and he was proud of the Greenways.

Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7427

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2013-2014; ADOPTING A BUDGET FOR FISCAL YEAR 2013-2014 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 4:0:1 vote of the Commission and Mayor Harpole abstained.

ITEM 7: Mayor Harpole presented an ordinance adopting the 2013/2014 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the for the Quail Creek Public Improvement District (PID). This ordinance is recommended for approval by a unanimous vote of the Quail Creek Public Improvement District Board of Directors. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7428

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2013-2014; ADOPTING A BUDGET FOR FISCAL YEAR 2013-2014 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING

SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 8: Mayor Harpole presented an ordinance adopting the 2013/2014 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the for the Vineyards Public Improvement District (PID). This ordinance is recommended for approval by a unanimous vote of the Vineyards Public Improvement District Board of Directors. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7429

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE VINEYARDS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2013-2014; ADOPTING A BUDGET FOR FISCAL YEAR 2013-2014 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLATIONS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 9: Mayor Harpole presented a resolution to conduct a Special Municipal Election to be held on November 5, 2013. If approved, the proceeds will be used to construct the proposed improvements known as the Amarillo Recreation Complex. These improvements include, but are not limited to, additional sports fields, indoor recreation center, indoor aquatic facility, hike/bike/jogging trails and related improvements. Any bond proceeds not used at that project will be used for other qualifying parks improvement projects. Motion was made by Commissioner Simms calling for a bond election for park improvements, specifically the Amarillo Recreation Complex, not to exceed \$31.5 million on November 5, 2013, seconded by Commissioner Escajeda, that the resolution be passed.

Dusty McGuire, 6016 Dreyfuss, spoke in favor of the Amarillo Recreation Complex (ARC). She stated she had served 21 years on the Parks Commission and Keep Amarillo Beautiful. She pledged \$10,000 toward the \$6 million of private donations from the Nights of Lights.

Alan Abraham, 7205 Southwest 35th Avenue, inquired about a feasibility study for maintenance. He also inquired as to what was known about the revenues anticipated and ongoing maintenance. Mr. Atkinson replied that the designs continue to change and nothing was final at this point.

Alice Hyde, 3537 Goodfellow, spoke in favor of the ARC project. She stated it would be a health and well-being facility for the entire community and would allow sports participation throughout the entire year. Kim Killian, 8301 El Paso Drive, stated he had worked for Kids Inc. and he was excited for the children and adults. Tom Clark, stated that it took approximately 5% of the YMCA's budget to maintain the current baseball fields. He further stated this money could be used for at-risk youth, senior citizens and other things. Allen Finegold, 2601 North Grand, addressed the Commission about the

bond. He stated he believed the ballot should state not only the principle amount but the interest and payoff period. Mr. Atkinson stated the ballot language, structure and ordering such bond was being prepared by Fulbright and Jaworski. Mr. Simms stated that the interest amount could not be set until the bonds were sold. Mr. Atkinson stated today the Commission would be capping the amount.

Ryan Monroe, 7410 Limestone, spoke in favor of the ARC. He stated it will be nice to have some of these types of events in Amarillo. Ricky Bates, 4002 Tulip, stated he was involved in softball and in favor of the ARC. Pedro Mendez, 3209 South Dallas, stated he has been involved with Boy Scouts and youth for the past 60 years. He further stated this was the best investment the City could make for our youth. Randall Smith, 11775 Indian Road, stated his children are swimmers and recently inquired to the Lubbock's aquatic center about ongoing costs. He stated he was told the highest cost was heating the water.

Commissioner Eades encouraged everyone to get out and vote. Commissioner Simms commended the people representing these different groups who have come together and are coming up with partial funds. Commissioner Escajeda commended the young people and stated they were learning a valuable lesson. Vicki Bryant, 5014 Everly Parkway, stated she has been working on the project for a very long time and it was fabulous the way the various groups have been able to come together. She further stated that Special Olympics has not been able to hold the swimming portion of the Special Olympics for many years because of lack of facilities.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 10: Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Commissioner Escajeda seconded by Commissioner Eades and unanimously carried to appoint to the Canadian River Municipal Water Authority, Lenny Sadler to replace Robert Keys, such term to expire July 31, 2015 and to reappoint to the Texas Panhandle Centers, Patty Ladd, such term to expire September 1, 2015. Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 11: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Commissioner Green, seconded by Commissioner Simms, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Dedications and Acceptances:

- 1) A 5.0' x 5.0' water line easement out of Lot 2, Block 3, R&B Industrial Park Unit No. 7, in Section 72, Block 2, AB&M Survey, Potter County, in the vicinity of East Amarillo Boulevard and Lakeside Drive.
- 2) A 0.11 acre tract of land out of Section 72, Block 2, AB&M Survey, Potter County, in the vicinity of East Amarillo Boulevard and Lakeside Drive for upcoming development east of the proposed public utility easement.
- 3) A 0.16 acre tract of land in Lots 41 and 42, Block 18, University Heights Unit No. 1, out of Section 189, AB&M Survey, Potter County, at 1412 Northwest 14th Avenue for construction of a drainage channel.

Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Commission can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda.

William Sumerford, 6103 Blue Sage Circle, asked in addition to charter amendments proposed, if the Commission would add 13 other proposals to the November ballot; such as: bill of rights, small business, commission ethics, term limits, balance budget, city manager residency, red light cameras, democratic representing, and live meetings. Commissioner Eades inquired as to the deadline for putting something on the ballot. Mr. Norris stated it was today and reminded the Commission that this was a public forum and no action was allowed to be taken and the material presented today could be considered on a future election.

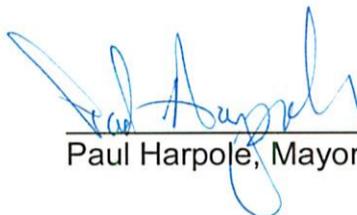
Terry Simmons 3709 Canyon Gate Circle, Carrollton, Texas, stated he was a contractor with TNT Construction who was building a school at 6000 South Georgia. He stated his appreciation for the Building Safety Department. There were no further comments.

Mayor Harpole advised that the meeting was adjourned and the Commission would return to Work Session and Closed Session.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor